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**PATENT APPLICATION**

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Masaaki TOGASHI

Group Art Unit: 2831

Application No.: 10/798,361

Examiner: E. Thomas

Filed: March 12, 2004

Docket No.: 119031

For: MULTILAYER CAPACITOR

**RESPONSE TO ELECTION OF SPECIES REQUIREMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

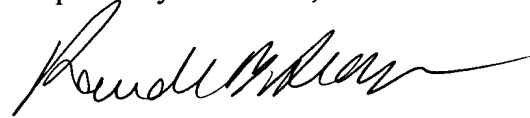
Sir:

In reply to the August 31, 2004 Election of Species Requirement, Applicants provisionally elects Species B, Figures 11-14, with traverse. At least claims 16-23 read on the elected species.

It is also respectfully submitted that the subject matter of all species is sufficiently related that a thorough search for the subject matter of any one Group of species would encompass a search for the subject matter of the remaining species. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which it is stated that "if the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions" (emphasis added). It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.

Thus, withdrawal of the Election of Species Requirement is respectfully requested.

Respectfully submitted,



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Date: September 30, 2004

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